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27879 7590 03/31/2010 INDIANAPOLIS OFFICE 27879 BRINKS HOFER GILSON & LIONE CAPITAL CENTER, SUITE 1100 201 NORTH ILLINOIS STREET INDIANAPOLIS, IN 46204-4220	

EXAMINER
MEJIA, ANTHONY

ART UNIT	PAPER NUMBER
2451	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/529,925	KAMIYA ET AL.
Office Action Summary	Examiner	Art Unit	
	ANTHONY MEJIA	2451	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 December 2009</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-41</u> is/are pending in the application.

    4a) Of the above claim(s) <u>1-12,16-17,23-24, and 30-31</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>13-15, 18-22, 25-29, 32-41</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendments

1.   It is hereby acknowledged that Claims 1-12, 16-17, 23-24, 30-31 have

been canceled, Claims 13-15, 20-22, 27-29 have been amended, and Claims 37-

41 have been added and are pending with Claims 18-19, 25-26, and 32-36 in the

instant application.

Response to Arguments

2.   Applicant's arguments, filed **01 December 2009** have been fully

considered but are deemed moot in view of the following new grounds of

rejection, necessitated by Applicant's substantial amendments (e.g., "...a second

identifier indicative of an original source of the application program...") to the

claims which significantly affected the scope thereof.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

4.   Claims 13-15, 19-22, 26, 34-35, and 37-41 are rejected under 35 U.S.C.

103(a) as being unpatentable over Navarre et al. (US 6,442,611) (referred herein

after as Navarre) in further view of Yoshioka (US 2003/0135546) and in further

view of Ruparel (US 7,620, 722) (referred hereinafter as Ruparel).

Regarding Claim 13, Navarre teaches a communication system (*see* fig.2) comprising:

a communication terminal (client running application 210) (col.2, lines 27-31); and

a relay device (gateway 220) that relays data communication (request) between the communication terminal and a server (targeted server with application), (col.2, lines 27-31, 50-59, col.3, lines 1-11, and col.3, lines 45-64);

the communication terminal comprising:

a communication unit (it is an inherent property that in order for the client running application 210, to communicate with a relay device it must comprise a hardware component to communicate the request for the user, col. 2, lines 27-31, 50-54, col.3, lines 6-11);

a first storage unit (it is an inherent property that in order for the client to run application 210, it must be stored on the client) configured to store an application program (application 210) executable to communicate with the server via a network (network 200) and communication unit (col. 2, lines 27-31, 50-54, col.3, lines 6-11); and

a first processing unit (it is an inherent property that in order for the client to run application 210, it must comprise a hardware component such as a CPU) configured to execute the application program to communicate with the server in accordance with the application program, to generate a communication request including application related information related to the application program, and

to send the communication request to the server (col.2, lines 50-65 and col.3, lines 1-15).

the relay device comprising:

a second storage unit (tables 223) configured to store regulation information to regulate the data communication requested by the communication request (col.3, lines 15-29).

a second processing unit (it an inherent property that in order for gateway 220 to receive a request from a client, the gateway must comprise a processor in order to process instructions to execute a request from a client) configured to receive the communication request from the communication terminal, wherein the second processing unit is further configured to relay the data communication in accordance with the regulation information stored in the second storage unit, (col.2, lines 33-49, col.3, lines 1-29, and col.6, lines 1-23).

Navarre, does not explicitly teach the step wherein:

the second processing unit is further configured to decrease an amount of data in the relayed communication in response the communication request satisfying a predetermined condition.

However, Yoshioka in a similar field of endeavor discloses a communications system with automatic delete function and computer program used for the system including the step of:

a second processing unit (router controller 8) is further configured to decrease an amount of data in the relayed communication in response to the communication request, where the communication request satisfies a

predetermined condition (prescribed threshold) (pars [0005-0007], [0018-0019],

[0036-0037], and [0051-0052]).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to utilize the teachings of Yoshioka in the teachings of

Navarre to decrease an amount of data in the relayed communication to satisfy a

predetermined condition. One of ordinary skill in the art at the time the invention

was made would have been motivated to combine the teachings of Navarre and

Yoshioka to prevent data congestion from occurring on the system (par [0005]).

The combined teachings of Navarre and Yoshioka do not explicitly teach

the steps:

wherein at the first unit processing unit of the communication terminal,

the application related information further includes ***an application identifier***

indicative of a download source from which the application program was

received by the communication terminal; *nor*

wherein at the relay device the regulation information stored at the second

storage unit further includes ***an identifier including the application identifier***

indicative of the application programmed stored in association with a

second identifier indicative of an original source of the application

program; *nor*

wherein at the second processing unit satisfying a predetermined

condition, ***the predetermined condition comprising the download source***

indicated with the first identifier received in the communication request

being identical to the original source indicated with the second identifier in

the regulation information.

However, Ruparel in a similar field of endeavor discloses a method and

apparatus for establishing communication including the above steps:

wherein at a first unit processing unit (computer 1) of the communication

terminal, application related information further includes *an application*

identifier indicative of a download source from which the application

program was received by the communication terminal (e.g., domain

identification procedure is performed in which the computer derives the domain

name of the user's computer, col.5, lines 45-67, and col.6, lines 1-20); *and*

wherein at a relay device (web server) regulation information stored at the

second storage unit further includes *an identifier including the application*

identifier indicative of the application programmed stored in association

with a second identifier indicative of an original source of the application

program (e.g., if the user at computer 1, contains a known domain name, the

web server requests a previously downloaded cookie to be sent from the web

browser of the user, in which this cookie will allow unique identification of the

user, which will act as an alternative to requiring a user to log in, in order to

access web site, the cookie further contains additional information if the user has

previously been in contact, col.5, lines 45-67, and col.6, lines 1-20); *and*

wherein at the second processing unit satisfying a predetermined

condition, *the predetermined condition comprising the download source*

indicated with the first identifier received in the communication request

being identical to the original source indicated with the second identifier in

the regulation information (e.g., cookie will allow unique identification of the

user, which will act as an alternative to requiring a user to log in, in order to

access web site, the cookie further contains additional information if the user has

previously been in contact, col.5, lines 45-67, and col.6, lines 1-20).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the combined teachings of Navarre and Yoshioka

with the teachings of Ruparel in order to satisfy conditions to establish a session

with a previously accessed server. One of ordinary skill in the art at the time the

invention was made would have been motivated to combine the teachings of

Navarre/Yoshioka and Ruparel to minimize the burden for both the users

attempting to request access to and the relay device in regulating the access

request to, a previously accessed server.

Regarding Claim 14, Navarre further teaches wherein the application

related information includes communication identification information, the

communication identification information indicating, in a case that the application

program executed by the processing unit is a specific type application program,

that the communication is performed by the specific type application program,

and the predetermined condition further comprising that the application related

information includes the communication identification information (col.2, lines 33-

49, col.3, lines 1-29, and col.6, lines 1-23).

Regarding Claim 15, the combined teachings of Navarre/Yoshioka/ Rupparel further teaches wherein a second storage unit is further configured to store first activation type information indicating a first activation mode of the application program (Navarre: col.2, lines 33-49, col.3, lines 1-29, and col.6, lines 1-23),

the application related information includes second activation type information indicating a second activation mode of the application program (col.2, lines 33-49, col.3, lines 1-29, and col.6, lines 1-23), and

the predetermined condition further comprising is that the second activation mode indicated by the second activation type information included in the application related information is equivalent to with the first activation type information stored in the second storage unit (Ruparel: col.5, lines 45-67, and col.6, lines 1-20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined teachings of Navarre and Yoshioka with the teachings of Ruparel in order to satisfy conditions to establish a session with a previously accessed server. One of ordinary skill in the art at the time the invention was made would have been motivated to combine the teachings of Navarre/Yoshioka and Ruparel to minimize the burden for both the users attempting to request access to and the relay device in regulating the access request to, a previously accessed server.

Regarding Claim 19, Navarre further teaches wherein the regulation information includes at least one or both of:

a condition to regulate the data communication, and

a condition to permit the data communication (col.2, lines 33-49, col.3, lines 1-29, and col.6, lines 1-23).

Regarding Claim 20, Navarre teaches a relay device (gateway 220) for relaying data communication between a communication terminal (client running application 210) and a server (targeted server with application) (col.2, lines 27-31, 50-59, col.3, lines 1-11, and col.3, lines 45-64);

the relay device comprising:

a first storage unit (tables 223) configured to store regulation information to regulate the data communication in response to a communication request (col.3, lines 15-29).

a processing unit (it is an inherent property that in order for gateway 220 to receive a request from a client, the gateway must comprise a hardware component in order to process a request from a client) configured to receive the communication request from the communication terminal (col.3, lines 1-15); and

invoke a guideline for the data communication between the communication terminal and the server in response to the communication request satisfying a predetermined condition.

the processing unit further configured to invoke the guideline and relay the data communication in accordance with the regulation information stored in a first storage unit (col.2, lines 33-49, col.3, lines 1-29, and col.6, lines 1-23).

The combined teachings of Navarre and Yoshioka do not explicitly teach the steps:

wherein at the first unit processing unit of the communication terminal, the application related information further includes ***an application identifier indicative of a download source from which the application program was received by the communication terminal***; *nor*

wherein at the relay device the regulation information stored at the second storage unit further includes ***an identifier including the application identifier indicative of the application programmed stored in association with a second identifier indicative of an original source of the application program***; *nor*

wherein at the second processing unit satisfying a predetermined condition, ***the predetermined condition comprising the download source indicated with the first identifier received in the communication request being identical to the original source indicated with the second identifier in the regulation information.***

However, Ruparel in a similar field of endeavor discloses a method and apparatus for establishing communication including the above steps:

wherein at a first unit processing unit (computer 1) of the communication

terminal, application related information further includes ***an application***

identifier indicative of a download source from which the application

program was received by the communication terminal (e.g., domain

identification procedure is performed in which the computer derives the domain

name of the user's computer, col.5, lines 45-67, and col.6, lines 1-20); *and*

wherein at a relay device (web server) regulation information stored at the

second storage unit further includes ***an identifier including the application***

identifier indicative of the application programmed stored in association

with a second identifier indicative of an original source of the application

program (e.g., if the user at computer 1, contains a known domain name, the

web server requests a previously downloaded cookie to be sent from the web

browser of the user, in which this cookie will allow unique identification of the

user, which will act as an alternative to requiring a user to log in, in order to

access web site, the cookie further contains additional information if the user has

previously been in contact, col.5, lines 45-67, and col.6, lines 1-20); *and*

wherein at the second processing unit satisfying a predetermined

condition, ***the predetermined condition comprising the download source***

indicated with the first identifier received in the communication request

being identical to the original source indicated with the second identifier in

the regulation information (e.g., cookie will allow unique identification of the

user, which will act as an alternative to requiring a user to log in, in order to

access web site, the cookie further contains additional information if the user has previously been in contact, col.5, lines 45-67, and col.6, lines 1-20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined teachings of Navarre and Yoshioka with the teachings of Ruparel in order to satisfy conditions to establish a session with a previously accessed server. One of ordinary skill in the art at the time the invention was made would have been motivated to combine the teachings of Navarre/Yoshioka and Ruparel to minimize the burden for both the users attempting to request access to and the relay device in regulating the access request to, a previously accessed server.

Regarding Claim 21, this device claim comprises limitation(s) substantially the same, as those discussed on claim 14 above, same rationale of rejection is applicable.

Regarding Claim 22, this device claim comprises limitation(s) substantially the same, as those discussed on claim 15 above, same rationale of rejection is applicable.

Regarding Claim 26, this device claim comprises limitation(s) substantially the same, as those discussed on claim 19 above, same rationale of rejection is applicable.

Regarding Claim 34, Yoshioka further teaches wherein the second

processing unit is further configured to transmit a response message to the

communication terminal in response to the communication request satisfying the

predetermined condition, the response message comprising an instruction to the

communication terminal to regulate the data communication between the

communication terminal and the server in accordance with the regulation

information (pars [0005-0007], [0018-0019], [0036-0037], and [0051-0052]).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to utilize the teachings of Yoshioka in the teachings of

Navarre to decrease an amount of data in the relayed communication to satisfy a

predetermined condition. One of ordinary skill in the art at the time the invention

was made would have been motivated to combine the teachings of Navarre and

Yoshioka to prevent data congestion from occurring on the system (par [0005]).

Regarding Claim 35, Navarre further teaches the step wherein the

processing unit is further configured to transmit a. response message to the

communication terminal in response to the communication request, the response

message comprising the guideline for the data communication between the

communication terminal and the server (col.2, lines 33-49, col.3, lines 1-29, and

col.6, lines 1-23).

Regarding Claim 37, Ruparel further teaches the step wherein the first

identifier indicative of the download source identifies a first server, and the

second identifier indicative of the original source of the application program also
identifies the first server (col.5, lines 45-67, and col.6, lines 1-20).

Regarding Claim 38, Ruparel further teaches the step wherein the
predetermined condition further comprises that the application identifier is
identical in the application related information and the regulation information
(col.5, lines 45-67, and col.6, lines 1-20).

Regarding Claim 39, Ruparel further teaches the step wherein the second
processing unit is further configured to relay the data communication in response
to the communication request failing to satisfy the predetermined condition (col.5,
lines 45-67, and col.6, lines 1-20).

Regarding Claim 40, Ruparel further teaches the step wherein the first
identifier indicative of the download source identifies a first server, and the
second identifier indicative of the predetermined original provider of the
application program also identifies the first server (col.5, lines 45-67, and col.6,
lines 1-20).

Regarding Claim 41, Ruparel further teaches the step wherein comparing
the communication request to the stored regulation information comprises the
step of confirming that a first server identified by the first identifier is also

identified by the second identifier (col.2, lines 33-49, col.3, lines 1-29, and col.6,

lines 1-23).

5.   Claims 27-29 and 36 rejected under 35 U.S.C. 103(a) as being

unpatentable over Navarre and in further view of Ruparel.

        Regarding Claim 27, Navarre further teaches a method in a

communication system that includes a communication terminal (client running

application 210) and a relay device (gateway 220) that relays data

communication between the communication terminal and a server (targeted

server with application) (col.2, lines 27-31, 50-59, col.3, lines 1-11, and col.3,

lines 45-64), the communication terminal including a communication unit and a

first storage unit (it is an inherent property that in order for the client to run

application 210, it must be stored on the client) configured to store an application

program (client application 210) executable to communicate with the server via a

network (network 200), the relay device including a second storage unit (tables

223) configured to store regulation information for regulating the data

communication in response to a communication request (col.3, lines 15-29), the

method comprising:

        generating, with the communication terminal, the communication request

to include application related information related to the application program

(col.2, lines 27-31, 50-59, col.3, lines 1-11, and col.3, lines 45-64);

sending, with the communication terminal, the communication request to the server (col.2, lines 50-65);

receiving, with the relay device, the communication request from the communication terminal (col.3, lines 1-15),

invoking a constraint of the data communication between the communication terminal and server with the relay device, if the communication request satisfies a predetermined condition, the constraint of the data communication invoked by the relay device in accordance with the regulation information stored in the second storage unit (col.2, lines 33-49, col.3, lines 1-29, and col.6, lines 1-23).

Navarre does not explicitly teach the steps:

wherein the application related information including an application identifier indicative of a download source from which the application program was received by the communication terminal; nor

comparing the communication request to the stored regulation information with the relay server, the stored regulation information including the application identifier of the application program stored in association with a second identifier indicative of an original provider of the application program;

wherein the predetermined condition further comprises the download source indicated with the first identifier received in the communication request being identical to the original provider indicated with the second identifier included in the regulation information.

However, Ruparel in a similar field of endeavor discloses a method and apparatus for establishing communication including the above steps:

*wherein the application related information including an application identifier indicative of a download source from which the application program was received by the communication terminal (*e.g., domain identification procedure is performed in which the computer derives the domain name of the user's computer, col.5, lines 45-67, and col.6, lines 1-20)*; and*

comparing the communication request to the stored regulation information with the relay server, the stored regulation information including the application identifier of the application program stored in association with a second identifier indicative of an original provider of the application program (e.g., comparison step establishes if the user at computer 1, contains a known domain name, the web server requests a previously downloaded cookie to be sent from the web browser of the user, in which this cookie will allow unique identification of the user, which will act as an alternative to requiring a user to log in, in order to access web site, the cookie further contains additional information if the user has previously been in contact, col.5, lines 45-67, and col.6, lines 1-20);

wherein the predetermined condition further comprises the download source indicated with the first identifier received in the communication request being identical to the original provider indicated with the second identifier included in the regulation information (e.g., cookie will allow unique identification of the user, which will act as an alternative

to requiring a user to log in, in order to access web site, the cookie further

contains additional information if the user has previously been in contact, col.5,

lines 45-67, and col.6, lines 1-20).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the combined teachings of Navarre and Yoshioka

with the teachings of Ruparel in order to satisfy conditions to establish a session

with a previously accessed server. One of ordinary skill in the art at the time the

invention was made would have been motivated to combine the teachings of

Navarre/Yoshioka and Ruparel to minimize the burden for both the users

attempting to request access to and the relay device in regulating the access

request to, a previously accessed server.

Regarding Claim 28, Navarre further teaches wherein the application

related information includes communication identification information, the

communication identification information indicating, in a case that the application

program executed by the processing unit is a specific type application program,

that the communication is performed by the specific type application program,

and the predetermined condition further comprising that the application related

information includes the communication identification information (col.2, lines 33-

49, col.3, lines 1-29, and col.6, lines 1-23).

Regarding Claim 29, Navarre further teaches wherein the method

comprises storing first activation type information indicating a first activation

mode in the second storage unit included in the relay device (col.2, lines 33-49,
col.3, lines 1-29, and col.6, lines 1-23),

wherein the application related information includes a second activation
type information indicating a second activation mode of the application
program(col.2, lines 33-49, col.3, lines 1-29, and col.6, lines 1-23), and

the predetermined condition further comprising that the second activation
mode indicated by the second activation type information included in the
application related information is equivalent the first activation type information
stored in the second storage unit (Ruparel: col.5, lines 45-67, and col.6, lines 1-
20).

It would have been obvious to one of ordinary skill in the art at the time the
invention was made to modify the combined teachings of Navarre and Yoshioka
with the teachings of Ruparel in order to satisfy conditions to establish a session
with a previously accessed server. One of ordinary skill in the art at the time the
invention was made would have been motivated to combine the teachings of
Navarre/Yoshioka and Ruparel to minimize the burden for both the users
attempting to request access to and the relay device in regulating the access
request to, a previously accessed server.

Regarding Claim 36, Navarre further teaches wherein invoking a
constraint of data communication between the communication terminal and the
server comprises the relaying device transmitting a response message to the
communication terminal in response to the communication request, the response

message comprising communication regulation information to constrain the

communication terminal with regard to data communication with the server (col.2,

lines 33-49, col.3, lines 1-29, and col.6, lines 1-23).

9.   Claims 18 and 25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Navarre in further view of Yoshioka in further view of Ruparel

and in further view of Glommen et al. (US 6,393,479) (referred herein after as

Glommen).

        Regarding Claim 18, the combined teachings of

Navarre/Yoshioka/Ruparel teach the communication system of Claim 13 as

discussed above.

        The combined teachings of Navarre/Yoshioka/Ruparel do not explicitly

teach wherein the regulation information includes at least a condition to regulate

a duration of the data communication.

        However, Glommen in a similar field of endeavor discloses an Internet

website traffic flow analysis including the regulation information includes at least

a condition to regulate a duration of the communication (col.8, lines 49-65, and

col.9, lines 39-46).

        It would have been obvious to one of ordinary skill in the art at the time the

invention was made to utilize the teachings of Glommen in the combined

teachings of Navarre/Yoshioka/Ruparel to regulate the duration of the

communication. One of ordinary skill in the art at the time the time the invention

was made to combine the teachings of Navarre/Yoshioka/Ruparel and Glommen

to reduce throughput of the mobile communication and optimize the regulation of

requests being sent on the system.

Regarding Claim 25, this device claim comprises limitation(s) substantially

the same, as those discussed on claim 18 above, same rationale of rejection is

applicable.

6.   Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Navarre in further view of Yoshioka in further view of Ruparel and in further view

of Glommen.

Regarding Claim 32, the combined teachings of Navarre//Ruparel teach

the method of Claim 27 as discussed above.

The combined teachings of Navarre/Ruparel do not explicitly teach

wherein the regulation information includes at least a condition to regulate a

duration of the data communication.

However, Glommen in a similar field of endeavor discloses an Internet

website traffic flow analysis including the regulation information includes at least

a condition to regulate a duration of the communication (col.8, lines 49-65, and

col.9, lines 39-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Glommen in the combined teachings of Navarre/Ruparel to regulate the duration of the communication. One of ordinary skill in the art at the time the time the invention was made to combine the teachings of Navarre/Ruparel and Glommen to reduce throughput of the mobile communication and optimize the regulation of requests being sent on the system.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8.   Examiner has cited particular paragraphs, columns, and line numbers in the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY MEJIA whose telephone number is (571)270-3630. The examiner can normally be reached on Mon-Thur 9:30AM-8:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/A.M./
Patent Examiner, Art Unit 2451

/John Follansbee/

Supervisory Patent Examiner, Art Unit 2451